



Docket No. 58P-57

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Benjamin Wiegand et. al.

Serial No. : 10/017,180

Art Unit: 1616

Filed : December 7, 2001

Examiner: Konata M. George

For : METHOD FOR REDUCING ACNE OR IMPROVING SKIN TONE

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01/22/04

(Date of Deposit)

Erin M. Harriman

(Name of applicant, assignee, or Registered Representative)

Erin M. Harriman

(Signature)

01/22/04

(Date of Signature)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure Statement mailed on June 4, 2002.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☐ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☒ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

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- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☒ Please charge Deposit Account No. 10-0750/JBP-571/EMH the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☐ Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98(a)(2). (The U.S. patents and each U.S. patent application publication listed on the attached Form PTO-1449 are not

enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i)).

☒ There are no listed references which are not in the English language.

☐ The relevance of those listed references which are not in the English language is as follows

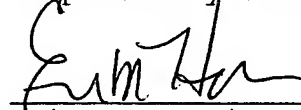
☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Copies of the references listed on the search report(s) are included except for those previously cited in an IDS mailed .

☒ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/JBP-571/EMH. This form is submitted in triplicate.

Respectfully submitted,



Erin M. Harriman
Reg. No. 40,410
Attorney for Applicants

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-3619

DATED: 01/22/04

Examiner Signature	Date Considered
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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 11

Application Number	10/017,180
Filing Date	December 7, 2001
First Named Inventor	B. Benjamin Wiegand
Group Art Unit	1616
Examiner Name	George M. Konata
Attorney Docket Number	JBP-571

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		4,013,417		Italo Raffaele	03-22-1977	
		4,375,421		Fred K. Rubin et al.	03-01-1983	
		4,556,557		Dietrich Reichert	12-03-1985	
		4,657,690		Jean F. Grollier et al.	04-14-1987	
		4,664,835		Jean F. Grollier et al.	05-12-1987	
		4,668,513		Dietrich Reichert	05-26-1987	
		4,670,264		Craig B. Warren et al.	06-02-1987	
		4,671,959		Craig B. Warren et al.	06-09-1987	
		4,877,322		Robert V. Hill	10-31-1989	
		5,009,813		Taichi Watanabe et al.	04-23-1991	
		5,063,062		Douglas Greenspan et al.	11-04-1991	
		5,079,227		Rose-Marie Handjani et al. (Equivalent to EP 347306)	01-07-1992	

FOREIGN PATENT DOCUMENTS

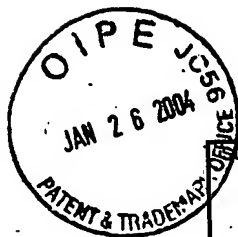
Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵				
		AU	43839		Unilever PLC	05-29-1998		
		AU	579191		Unilever PLC	04-17-1986		
		AU	654850		Eugene J. Van Scott	05-28-1992		
		AU	664987		Ruey J. Yu	10-05-1992	English Translation	
		AU	701232		Ruey J. Yu	12-07-1995	Claim 1 & Abstract	
		AU	723030		The Procter & Gamble Company	05-15-1996		

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of 11

Application Number	10/017,180
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Group Art Unit	1616
Examiner Name	G org M. Konata
Attorney Docket Number	JBP-571

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		Number	Kind Code ² (if known)			
		5,124,078		Heinrich Baust	06-23-1992	
		5,275,761		Wolfgang Bergmann	01-04-1994	
		5,284,603		Stephen T. Repinec et al.	02-08-1994	
		5,304,112		Theresa Mrklas et al.	04-19-1994	
		5,350,774		Cathy Palou	09-27-1994	
		5,403,263		Linda Rodgers	04-04-1995	
		5,403,587		Karen A. McCue et al.	04-04-1995	
		5,497,771		Michael N. Rosenheimer	03-12-1996	
		5,540,853		Toan Trinh et al.	07-30-1996	
		5,578,312		Vince M. Parninello	11-26-1996	
		5,597,406		Stephen A. Fischer et al.	01-28-1997	
		5,597,407		Stephen A. Fischer et al.	01-28-1997	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵				
		AU	730992		Unilever PLC	05-29-1998		
		AU	60334/98		The Procter & Gamble Company	08-18-1998		
		CA	2244887		The Procter & Gamble Company	08-14-1997	Abstract Only =WO97/28785	
		CA	2247825		The Procter & Gamble Company	02-19-1997	Abstract Only =WO 97/28785	
		CA	2 127 348		Colgate-Palmolive Company	01-10-1995	Abstract	
		CA	2 127 657		Colgate-Palmolive Company	01-10-1995	Claim 1	
		CA	2 153 313		The Procter & Gamble Company	08-04-1994		

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 3 of 11

Application Number	10/017,180
Filing Date	December 7, 2001
First Named Inventor	B njamin Wiegand
Group Art Unit	1616
Examiner Name	G orge M. Konata
Attorney Docket Number	JBP-571

U.S. PATENT DOCUMENTS

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		Number	Kind Code ² (if known)			
		5,607,980		David M. McAtee et al.	03-04-1997	
		5,614,553		H. De Wayne Ashmead et al.	03-25-1997	
		5,711,899		Rolf Kawa et al.	01-27-1998	
		5,716,919		Tomohiko Sano	02-10-1998	
		5,771,261		Michael Anbar	06-23-1998	
		5,789,953		Mario F. Au et al.	08-04-1998	
		5,792,739		Mengtao He et al.	08-11-1998	
		5,804,538		Karl Shiqing Wei et al.	09-08-1998	
		5,849,310		Toan Trinh et al.	12-15-1998	
		5,855,884		Theoharides C. Theoharides	01-05-1999	
		5,871,757		John B. Cloughley et al.	02-16-1999	
		5,904,916		Alan R. Hirsch	05-18-1999	

FOREIGN PATENT DOCUMENTS

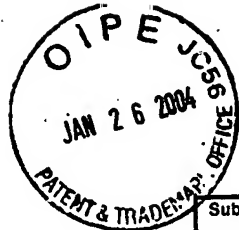
Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵				
		CA	2 155 766		The Procter & Gamble Company	08-18-1994		
		CA	2 167 174		Jeyes Group PLC	01-26-1995		
		CA	2 216 964		Imperial Chemical Industries PLC	10-10-1996	Claim 1	
		DE	3445547	A1	Fischer, Wilfried	07-04-1985		
		DE	199 52970	A1	Neuhaus, Peter	05-31-2001		
		EP	0 681 832	A2	Huls Aktiengesellschaft	11-15-1995		
		EP	978273		Shiseido Company Limited	02-09-2000	Claim 1	

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 4 of 11

Application Number	10/017,180
Filing Date	December 7, 2001
First Named Inventor	Benjamin Wiegand
Group Art Unit	1616
Examiner Name	George M. Konata
Attorney Docket Number	JBP-571

U.S. PATENT DOCUMENTS

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		Number	Kind Code ² (if known)			
		5,910,477		Neil James Gordon	06-08-1999	
		5,916,576		Jeffrey M. Dornoff et al.	06-29-1999	
		5,922,331		Jack Mausner	07-13-1999	
		5,958,462		Linsey McLean	09-28-1999	
		5,965,502		Dieter Balzer	10-12-1999	
		5,980,925		Hunuman B. Jampani et al.	11-09-1999	
		6,134,460	A	Britton Chance	10-17-2000	
		6,245,769	B1	Argyrios G. Arvanitis et. Al.	06-12-2001	
		6,635,263	B2	Masahiro Tanida	10-21-2003	
		5,466,446		Werner K. Stiefel, et. al.	11-14-1995	
		5,753,637		Karen G. Fried	05-19-1998	

FOREIGN PATENT DOCUMENTS

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		Office ³	Number ⁴	Kind Code ⁵				
		EP	0 681 832	A2	Huls Aktiengesellschaft	11-15-1995	Abstract Only	
		EP	0 713 860	B1	Rhodia Limited	05-29-1996		
		EP	0 841 061	A2	Kao Corporation	05-13-1998		
		EP	0 983 990		Givaudan Roure (International) S.A.	03-08-2000		
		FR	2191878		Touzet, Albert	02-08-1974	Claim 1	
		FR	2730634	A1	Khayat Hanna	08-23-1996		

Examiner Signature		Date Considered	
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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 9 of 11

Application Number	10/017,180
Filing Date	December 7, 2001
First Named Inventor	Benjamin Wiegand
Group Art Unit	1616
Examiner Name	Gordon M. Konata
Attorney Docket Number	JBP-571

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner's Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		Bottle for JOHNSON'S® Bedtime Bath™ (October 1999)	
		Badia, P., et al., "Some Effects of Fragrances on Sleep" Compendium of Olfactory Research 1982-1994 ["Compendium"] 31-36 (1994)	
		Dember, William, et al., "Olfactory Stimulation and Sustained Attention" Compendium 39-46 (1994)	
		Saintigny, Gaelle, et al., "The use of Essential Oils to Stimulate the release of relaxing substances by human Ketatinocytes" XX1st IFSCC Int'l. Congress 2000, Berlin-Proceedings	
		C. Kirschbaum and Dirk H. Hellhammer "Salivary Cortisol", Encyclopedia of Stress, Vol. 3, pp 379-384	
		Barbara Carlton, "In Quest for Prettiest Baby, Parents Snap up Pricey Kid's Cosmetics" 06/09/00, NewsEdge Insight ["Carlton"]	
		"Fussy Time" Calming baby bath aromatherapy. Cited in 6/9/00 NewsEdge Article	
		Karen Douthwaite "Bringing Up Baby", October 1999	
		Arthur A. Stone, Donald S. Cox, Heiddis Valdimarsdottir and Lina Jandorf, John M. Neale, "Evidence that Secretory IgA Antibody is Associated with Daily Mood" Journal of Personality and Social Psychology, 1987, Vol. 52, No. 5, 9988-993	
		HEIM, CHRISTINE ET. AL. "The potential role of hypocortisolism is the pathophysiology of stress-related boldiy disorders". Psychoneurocrinology, vol.25 no.1, January 2000 pages 1-35 XP002239756	
		SCHMIDT-REINWALD A. ET. AL. "The corisol response to awakening in relation to different challenge rests an a 12-hour cortisol rhythm" Life Sciences, Vol. 64 no. 18, March 26, 1999 pages 1653-1660 XP002239757	

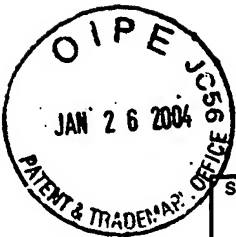
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 10 of 11

Application Number	10/017,180
Filing Date	December 7, 2001
First Name of Inventor	Benjamin Wiegand
Group Art Unit	1616
Examiner Name	G org M. Konata
Attorney Docket Number	JBP-571

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner's Initials*	Cite No. ¹	Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		DATABASE WPI Section CH, Week 198935 Derwent Publications LTD., London, GB: Class A96, AN 1989-253358 XP002163589 & JP 01 185267 A (Geran Kaihatsu Kenk), July 24, 1989 (1989-07-24) abstract	
		KIRSCHBAU, CLEMENS, Et. Al. "Salivary Cortisol In Psychoneuroendocrine Research: Recent Developments and Applications", PSYCHONEUROENDOCRINOLOGY, Vol 19, No. 4, pp. 313-333, 1994	
		FRIESS, ELISABETH ET. AL. "The hypothalamic-pituitary-adrenocortical system and sleep in man", ADVANCES IN NEUROIMMUNOLOGY, Vol. 5, pp. 111-125, 1995	
		LEIGH, TERRY J. ET. AL, "factor Analysis of the St. Mary's Hospital Sleep Questionnaire", SLEEP 11(5), pp.448-453, 1988	
		KOLLIAS, N. et. Al. "A single Parameter, Oxygenated Hemoglobin can be used to Quantity Experimental Irritant-induced inflammation", THE JOURNAL OF INVESTIGATIVE DERMATOLOGY, Vol. 104, No. 3, pp 421-424, March 1995	
		SHAW, CHRISTINE R., "The Perimenopausal Hot Flash: Epidemiology, Physiology, and Treatment, THE NURSE PRACTITIONER, Vol. 22 No. 3, pp. 55-66, march 1997	
		ANARTE, M.T., et. Al. "Hormonal and psychological treatment therapeutic alternative for menopausal women?" MATURITAS, 29, PP. 203-213, 1998	
		MOROHASHI, M. et. Al., "Cutaneous Neurological Factors are involved in the Pathogenesis of Acne", Journal of Investigative Dermatology, Vol. 114, No. 4, April 2000, Abstract No. 415, pg. 820	
		AROMATHERAPY WORKBOOK, Marcel Lavabre, pgs. 74,75,84, 104, 131-132,139,152 (1990)	
		WEIL, ANDREW, "Breathing-The Master Key to Self Healing" 2 CD Set" (1999)	
		Night Music 2 Classical Favourites for Relaxing and Dreaming - (1989) CD attached	

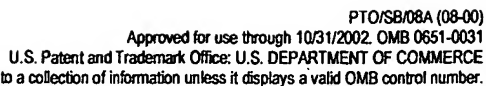
Examiner Signature		Date Considered	
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¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet 11 of 11

Application Number	10/017,180
Filing Dat	D cemb r 7, 2001
First Nam d Inventor	Benjamin Wiegand
Group Art Unit	1616
Examiner Nam	Georg M. Konata
Attorney Docket Number	JBP-571

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

[illegible]

Examiner Signature	Date Considered
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